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Thursday, 17 December 2009, 07:09
C O N F I D E N T I A L KAMPALA 001399
SIPDIS
EO 12958 DECL: 2019/12/17
TAGS PHUM, PGOV, UG
SUBJECT: UGANDA: ADDITIONAL INFORMATION ON 2002 GULU PRISON INCIDENT
REF: STATE 112641
CLASSIFIED BY: Aaron Sampson, Pol/Econ Chief, State, Pol/Econ; REASON: 1.4(B), (D)

1. (C) Summary: The following information responds to reftel questions regarding the 2002 death of Peter Oloya at Gulu Central Prison. In 2003
2. (C) Who was in command of the UPDF forces that went to Gulu prison?
- Lt. Col. Charles Anway Otema was in charge of UPDF forces that went to Gulu prison and accompanied these forces to the prison.
3. (C) What was the relationship of the commanding officer of the forces entering the prison in the chain of command to then-Lt. Col. Otema?
- Lt. Col. Charles Anway Otema was the commanding officer of the forces that entered the prison, and entered the prison along with forces under
4. (C) What were the orders of the detachment that went to Gulu Prison? Were these given by then-Lt. Col. Otema? Did these specifically address
- On November 3, 2009, Gulu District Chairman Walter Ochora told PolOff that he, Lt. Col. Otema, and President Museveni discussed an intercept
5. (C) What measures as commander did then-Lt. Col. Otema take after the incident? Did he order an investigation?
- The UPDF has not provided information about the nature or extent of any internal UPDF investigation. Member of Parliament (MP) David Penyttoo
6. (C) If there was an investigation, who conducted the investigation?
- The UPDF provided no information regarding any internal UPDF investigations of Oloya's killing.
- On February 14, 2003, the Ugandan High Court heard an application seeking compensation for the 21 Gulu prisoners, including Oloya, for violation of human rights. The hearing determined whether the claimants were deprived of basic rights, and did not identify any parties or
- In regard to the shooting death of Oloya, the Uganda's Attorney General did not dispute that Oloya was fatally shot by UPDF personnel, but cl
- The High Court said it was "inclined to believe" the version articulated by Oloya's fellow prisoners. The court specifically cited Otim's eye trial by a court of competent jurisdiction in respect of a criminal offence under the laws of Uganda where such sentence had been confirmed wit
7. (C) Was it an official investigation?
- The UPDF did not provide evidence of any internal UPDF investigation. The High Court case was an official legal hearing into human rights vic
8. (C) Will the GOU release the investigation results or a summary to us (with the understanding that the USG will respect confidentiality)?
- We have already emailed scanned copy of the 2003 High Court ruling to the Uganda Desk Officer.
9. (C) Why did the UPDF decline to release Peter Oloya's body?
- The UPDF provided no information on why it failed to comply with the court order to release the Oloya's body.
- Ochora told PolOff that he and Gulu District Chairman Norbert Mao recently discussed this case with President Museveni (the 2003 High Court r
- MP David Penyttoo Ocheng said that three days after he and other prisoners were transferred to the military barracks in 2002, soldiers on burial detail for UPDF soldiers killed by the LRA told him they had also buried a decapitated civilian matching Oloya's description
10. (C) If possible, can the Embassy interview one or more eyewitnesses (preferably from different points of view, e.g. prison official, pris
- Post has been unable to identify any eyewitnesses. Ochora was not an eyewitness and was not at the prison at the time the incident occurred.
11. (C) We would appreciate post's opinion with regard to the credibility of NGO accounts vs. government accounts of this incident. We also w
- There is no dispute that Lt. Col. Otema was present the night Peter Oloya was shot. The question is whether Oloya was deliberately shot, and